

Article - Environment

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§9–345.

(a) There is a Water Pollution Control Fund consisting of money made available under water quality loan authorizations or by funds appropriated in the State budget.

(b) The Board of Public Works, upon the recommendation of the Secretary, may award financial assistance for the following types of projects:

(1) Construction of sewerage systems under §§ 9–347 and 9–348 of this subtitle;

(2) Industrial user pretreatment projects under § 9–349 of this subtitle;

(3) Best management practices to control or prevent agriculturally related nonpoint source pollution under § 9–350 of this subtitle and Title 8, Subtitle 7 of the Agriculture Article; and

(4) Practices to reduce pollution from stormwater runoff in existing urbanized areas under § 9–350 of this subtitle.

(c) (1) The Secretary, with the approval of the Board of Public Works, shall adopt rules and regulations that establish application procedures and criteria for the award of financial assistance under this subtitle. The criteria shall provide the basis for project priority rankings and shall include, as appropriate:

(i) The water quality or public health impacts caused by existing circumstances;

(ii) Previous efforts expended to correct any existing problem;

(iii) Financial capacity of the applicant;

(iv) The problem prevention aspects of a proposed project;

(v) Cost effectiveness of a proposed project;

(vi) Planning requirements;

(vii) Provisions for monitoring and review; and

(viii) Measures to assure accountability for all funds awarded under this subtitle.

(2) Project priority systems shall be established. Prior to adopting rules and regulations and establishing project priority rankings under this section, the Secretary shall consult with the Secretaries of Natural Resources, Agriculture, and Commerce and the Secretary of the Department of Planning.

(d) For financial assistance over \$500,000 awarded under the Fund, the applicant shall demonstrate, to the satisfaction of the Department, that steps were taken to include small business enterprises, minority business enterprises, and women's business enterprises by:

(1) Placing qualified small business enterprises, minority business enterprises, and women's business enterprises on solicitation lists;

(2) Assuring that small business enterprises, minority business enterprises, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of small business enterprises, minority business enterprises, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, that encourage participation by small business enterprises, minority business enterprises, and women's business enterprises; and

(5) Using the services and assistance of the Maryland Department of Transportation and the Governor's Office of Small, Minority, and Women Business Affairs in identifying and soliciting small business enterprises, minority business enterprises, and women's business enterprises.

(e) If the steps required under subsection (d) of this section are not demonstrated to the satisfaction of the Department, the Department may withhold financial assistance for the project.

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